

Journal of the House

ELEVENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, January 25, 2005, 11:00 a.m.

The House met pursuant to adjournment with Speaker Mays in the chair.

The roll was called with 123 members present.

Rep. M. Miller was excused on verified illness.

Prayer by Chaplain Chamberlain:

Almighty God, we turn to you once again as a new day begins. You set the sun on its course and have given us its life-giving warmth. Thank you for its beauty and for the light it shines on our world. Today, make us worthy of it in our thoughts, our words and our deeds, that in everything you may be glorified. Let your light so shine in our world and in our lives that we cannot forget your blessings as we go about our work.

Hear our special prayer of thanks for those who work around us and who support us with their diligence and labor:

Thank you for the persons who serve on the staffs of this House of Representatives. Thank you for their loyalty to this house and for their service to the ideals that it represents.

Thank you for those who work behind the scenes to make things run: for clean hallways to walk in and rooms to meet in, for heat and lights and phones, and most of the time, copiers.

And thank you for those who protect this house and its members. Thank you for their courage and service and for their dedication to the laws that make our land great.

Thank you, Lord, for blessing us through the lives of others. Amen.

The Pledge of Allegiance was led by Rep. Kuether.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2144, An act regarding economic development; relating to tax increment financing and a motorsports complex; amending K.S.A. 2004 Supp. 12-1770a and 12-1774 and repealing the existing sections, by Committee on Economic Development.

HB 2145, An act amending the uniform consumer credit code; amending K.S.A. 16a-3-205, 16a-5-103, 16a-5-111 and 16a-6-201 and K.S.A. 2004 Supp. 16a-2-103, 16a-2-302, 16a-2-303, 16a-2-304, 16a-3-304, 16a-3-308a, 16a-5-301, 16a-6-104, 16a-6-108 and 16a-6-203 and repealing the existing sections, by Committee on Financial Institutions.

HB 2146, An act relating to oil and gas; concerning information to be included with payments to interest owners from sales of oil and gas; amending K.S.A. 2004 Supp. 55-1620 and 55-1622 and repealing the existing sections, by Committee on Utilities.

HB 2147, An act concerning psychiatric evaluation reports of defendants and inmates; relating to the disclosure thereof; amending K.S.A. 75-5266 and repealing the existing section, by Committee on Governmental Organization and Elections.

HB 2148, An act concerning veterinarians; relating to disciplinary actions and the disclosure of information relating thereto; amending K.S.A. 47-844 and repealing the existing section, by Committee on Governmental Organization and Elections.

HB 2149, An act concerning the disclosure of certain information; concerning nurses, dentists and pharmacists; amending K.S.A. 65-1135, 65-1467 and 65-1627 and repealing the existing sections, by Committee on Governmental Organization and Elections.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Commerce and Labor: **HB 2141**, **HB 2142**.

Economic Development: **HB 2140**.

Financial Institutions: **HB 2143**.

COMMUNICATIONS FROM STATE OFFICERS

From Brian Moline, Chair, Kansas Corporation Commission, Kansas State Energy Office 2004 Annual Report.

From Sue Henke, Office of Marketing and Communications, Kansas Department of Labor, Annual Report for 2004 is available on the KDOL web site, http://www.dol.ks.gov/home/html/newsroom_ALL.html.

The complete reports are kept on file and open for inspection in the office of the Chief Clerk.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2007, An act concerning the horsethief reservoir benefit district; relating to district sales tax; election therefor; amending K.S.A. 2004 Supp. 82a-2205 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Aurand, Ballard, Beamer, Bethell, Brown, Brunk, Burgess, Burroughs, Carlin, Carlson, Carter, Colloton, Cox, Craft, Crow, Dahl, Davis, DeCastro, Decker, Dillmore, Edmonds, Faber, Faust-Goudeau, Feuerborn, Flaharty, Flora, Flower, Freeborn, Garcia, Gattewood, George, Goico, Gordon, Grange, Grant, Hawk, Hayzlett, Henderson, Henry, Hill, Holland, C. Holmes, M. Holmes, Horst, Huebert, Huff, Humerickhouse, Huntington, Hutchins, Huy, Jack, D. Johnson, E. Johnson, Kelley, Kelsey, Kiegerl, Kilpatrick, Kinzer, Kirk, Knox, Krehbiel, Kuether, Landwehr, Lane, Larkin, Light, Loganbill, Long, Loyd, Mah, Mast, Mays, McCreary, McKinney, McLeland, Menghini, Merrick, F. Miller, Jim Morrison, Judy Morrison, Myers, Neufeld, Newton, Novascone, O'Malley, O'Neal, Oharah, Olson, Otto, Owens, Pauls, Peck, Peterson, Phelps, Pilcher-Cook, Pottorff, Powell, Powers, Ruff, Ruiz, Sawyer, Schwab, Schwartz, B. Sharp, S. Sharp, Showalter, Shultz, Siegfried, Sloan, Storm, Svaty, Swenson, Thull, Treaster, Vickrey, Ward, Watkins, Weber, Wilk, Williams, Winn, Yoder, Yonally.

Nays: None.

Present but not voting: None.

Absent or not voting: M. Miller.

The bill passed.

Upon unanimous consent, the House referred back to the regular order of business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were thereupon introduced and read by title:

HB 2150, An act concerning civil procedure; relating to collateral source benefits; amending K.S.A. 60-3802 and repealing the existing section, by Committee on Judiciary.

HB 2151, An act relating to criminal procedure; concerning search warrants; establishing how search warrants may be issued in violation of health, safety, building or animal cruelty laws or ordinances, by Committee on Judiciary.

HB 2152, An act concerning the master settlement agreement for tobacco products; relating to the appeal bond; amending K.S.A. 2004 Supp. 50-6a05 and repealing the existing section, by Committee on Judiciary.

HB 2153. An act concerning the secretary of aging; relating to the long-term care ombudsman; amending K.S.A. 2004 Supp. 75-7306 and 75-7310 and repealing the existing sections, by Committee on Health and Human Services.

HB 2154. An act concerning pharmacists; relating to hearings; repealing K.S.A. 65-1627d, 65-1627e and 65-1627g, by Committee on Health and Human Services.

HB 2155. An act concerning pharmacists and pharmacy; relating to prescription refills; amending K.S.A. 65-1637 and repealing the existing section, by Committee on Health and Human Services.

HB 2156. An act concerning the state board of pharmacy; regarding registration of pharmacy technicians; amending K.S.A. 2004 Supp. 65-1663 and repealing the existing section, by Committee on Health and Human Services.

HB 2157. An act concerning employment security law; relating to disqualification from receipt of benefits; amending K.S.A. 2004 Supp. 44-706 and repealing the existing section, by Committee on Health and Human Services.

HB 2158. An act concerning emergency medical services; relating to attendants' certificates; amending K.S.A. 65-6129 and repealing the existing section, by Committee on Health and Human Services.

HB 2159. An act concerning consumer protection; relating to damage waivers; amending K.S.A. 50-656 and 50-657 and repealing the existing sections, by Committee on Insurance.

HB 2160. An act concerning structured settlements; enacting the structured settlement protection act, by Committee on Insurance.

HB 2161. An act concerning insurance; relating to use of minimal sales inducements; amending K.S.A. 40-966 and K.S.A. 2004 Supp. 40-2404 and repealing the existing sections, by Committee on Insurance.

HB 2162. An act concerning criminal procedure; relating to upward departures in sentencing; amending K.S.A. 2004 Supp. 21-4718 and repealing the existing section, by Representative Ward.

HB 2163. An act concerning session laws; amending K.S.A. 2004 Supp. 45-107 and repealing the existing section, by Representative Davis.

APPOINTMENTS

Rep. Larkin is appointed to Committee on Federal and State Affairs to replace Rep. M. Miller.

On motion of Rep. Aurand, the House adjourned until 11:00 a.m., Wednesday, January 26, 2005.

JANET E. JONES, *Chief Clerk.*

CHARLENE SWANSON, *Journal Clerk.*

